

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:07CR3130
)	
V.)	
)	
JESUS E. ZAVALA,)	MEMORANDUM AND ORDER
)	
Defendant.)	

The defendant has moved the court for an order re-scheduling his plea hearing previously set for February 27, 2008. (Filing no. 32). The defendant's plea hearing did not occur on that date because defendant's counsel was ill. The defendant orally moved to continue the hearing to April 14, 2008 at 3:00 p.m. before Magistrate Judge Piester. The government did not oppose this oral motion. The defendant requests an order setting forth the new date and time for the hearing.

IT IS ORDERED:

- 1) The defendant's motion for an order setting a continued plea hearing, (filing no. 32), is granted.
- 2) The defendant's plea hearing will be conducted before Magistrate Judge David L. Piester on the 14th day of April, 2008 at 3:00 p.m. The defendant is ordered to appear at this hearing.
- 3) Based upon the showing set forth in defendant's motion, the Court finds that the ends of justice will be served by continuing defendant's plea hearing; and that continuing the plea date in this case outweighs the best interest of the defendant and the public in a speedy trial. Accordingly, the time between February 27, 2008 and April 14, 2008 shall be

excluded for speedy trial calculation purposes. 18 U.S.C. §
3161(h)(8)(a).

March 5, 2008.

BY THE COURT:

s/Richard G. Kopf
United States District Judge